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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,244	10/31/2003	Takahiro Onishi	SHO-0021	9034
23353	7590	11/17/2006		
RADER FISHMAN & GRAUER PLLC			EXAMINER	
LION BUILDING			HSU, RYAN	
1233 20TH STREET N.W., SUITE 501				
WASHINGTON, DC 20036			ART UNIT	PAPER NUMBER
			3714	

DATE MAILED: 11/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/697,244	ONISHI ET AL.
	Examiner Ryan Hsu	Art Unit 3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 18 June 2004.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-7 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-7 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 18 June 2004 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 6/18/04; 10/22/04; 5/5/05.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida et al. (EP 1,111,558 A2).**

Regarding claim 1, Yoshida et al. teach a gaming machine comprising: a game result display means for display a game result thereon (*see paragraph [0292] “three reels 5a to 5c”*); a beneficial state generating means for generating a beneficial state for a player when a predetermined game result is displayed on the game result display means (*see paragraph [312] “bonuses, which are called special winning modes are generated when combinations of predetermined special game starting symbols are aligned on the winning lines.”*); and abnormality notification means for notifying abnormality occurrence when abnormality occurs (*see paragraph [0355] “main control board”, [0370] “The command code is transmitted upon detection of an error or upon recovery from an error. ... An error screen matching an error code is displayed”*). However, Yoshida is silent with regard to an abnormality notification means which notifies information concerning with the abnormality in plural times. Although, Yoshida lacks in specifically describing an abnormality notification a plural number of times, the ability to present an error code message or abnormality notification several times is simply a design

choice for a ordinary person skilled in the art and would be a simple matter of design choice to be made by a programmer of the machine.

Regarding claim 2, Yoshida et al. teach a gaming machine wherein the abnormality notification means sequentially notifies the information concerning with the abnormality according to stages of restoration work from an abnormal state to a normal state (*see paragraph [0370] “The command code is transmitted upon detection of an error or upon recovery from an error”*).

Regarding claims 3 and 5, Yoshida teaches a gaming machine wherein the abnormality notification means repeatedly notifies the information and that the abnormality notification means notifies predetermined information concerning with the abnormality based on a predetermined operation (*see paragraph [0370]*). Yoshida is silent with regard to repeatedly notifying or to display information on a predetermined operation, however it is regarded as well within the design choices made by a game machine programmer and therefore would be obvious to one of routine skill in the art at the time the invention was made.

Regarding claim 4, Yoshida teaches a gaming machine wherein the abnormality notification means changes the information concerning with the abnormality according to progress in the restoration work of the abnormality or lapse of a predetermined time (*see paragraph [0370] “The command code is transmitted upon detection of an error or upon recovery from an error”*).

Regarding claim 6, Yoshida teaches a gaming machine that comprises: abnormality occurrence history storing means for storing the information concerning the abnormality (*see paragraph [0327] “RAM”*): wherein the abnormality notification means changes a notifying

mode of the information based on the information stored in the abnormality occurrences history storing means (*see paragraph [0370]* “*Error status data are added to the second byte. The command code is transmitted upon detection of error or upon recovery from an error*”).

**Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida et al. as applied to claims above, and further in view of Loose et al. (EP 1,260,928 A).**

Regarding claim 7, Yoshida teaches a gaming machine which displays a game result and generates means for a beneficial state and an abnormality notification to be displayed on the gaming device. However, Yoshida is silent with regard to a gaming machine wherein the game result display means is constructed from first display means and second display means which is arranged at a more front side than a display area of the first display means when seen from a front side of the gaming machine, and wherein the abnormality notification means displays the information concerning with the abnormality on the second display means.

Loose et al., an analogous gaming patent, teaches the implementation of a second display device in front of a variably display device in order to produce a superimposed image on the reels or to display graphics such as payout values, a pay table, and instructional information (*see Fig. 2a, 5-6 and the related description thereof*). One would be motivated to combine the display teachings of Loose with the machine of Yoshida in order to make a visually stimulating experience for the player (*see paragraph [0004]*). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the display apparatus of Loose with Yoshida in order to create a game machine that had two display means that would display abnormality notification information to a user.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Tarantino (WO 99/53454)** – Casino Game With Combination Display.

**Motegi et al. (US 6,817,946 B2)** – Virtual Image and Real Image Superimposed Display Device, Image Display Control Method, and Image Display Control Program.

Any inquiry concerning this communication or earlier communication from the examiner should be direct to Ryan Hsu whose telephone number is (571)-272-7148. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert P Olszewski can be reached at (571)-272-6788.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, contact the Electronic Business Center (EBC) at 1-866-217-9197 (toll-free).



RH

A handwritten signature in black ink, appearing to read "RH". Below the signature, the letters "RH" are printed in a small, sans-serif font.

November 8, 2006

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SCOTT JONES  
PRIMARY EXAMINER